

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MD R. Alam,

Plaintiff, Case No. 19-13338

v.

Judith E. Levy
United States District Judge

Kelin D. Prokurat, *et al.*,

Mag. Judge Elizabeth A. Stafford
Defendants.

/

ORDER ADOPTING REPORT AND RECOMMENDATION [18]

Before the Court is Magistrate Judge Elizabeth A. Stafford's Report and Recommendation recommending the Court deny Defendants' Motion to Dismiss (ECF No. 10) but to sua sponte dismiss in part Plaintiff's Complaint and dismiss Defendant Mike Prokurat. (ECF No. 18.) The parties were required to file specific written objections within 14 days of service. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The Court has nevertheless carefully reviewed the Report and Recommendation, and concurs in the reasoning and result. Accordingly,

The Report and Recommendation (ECF No. 18) is ADOPTED;

Defendants' motion to dismiss (ECF No. 10) is DENIED;

Plaintiff's complaint is dismissed in part, and Defendant Mike Prokurat is dismissed.¹

IT IS SO ORDERED.

Dated: September 23, 2020
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on September 23, 2020.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager

¹ By failing to object to the Report and Recommendation, the parties have waived any further right of appeal. *United States v. Archibald*, 589 F.3d 289, 295–96 (6th Cir. 2009).